

JUNE 27, 2013

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, June 27, 2013, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 7:30 p.m.

There were present:

Mayor ProTem Ida Hardcastle
Councilmember Karen Cornwell
Councilmember Michael Lehto
Councilmember Thomas Hally

Absent was:

Mayor Jared D. Fuhriman
Councilmember Sharon D. Parry
Councilmember Ken Taylor

Also present:

Randy Fife, City Attorney
Rosemarie Anderson, City Clerk
All available Division Directors

Mayor ProTem Hardcastle requested Donna Oe to lead those present in the Pledge of Allegiance.

CONSENT AGENDA ITEMS

Mayor ProTem Hardcastle requested Council confirmation for the Appointment of Jeff Osgood to serve on the Idaho Falls Business Assistance Corporation (Term to Expire on December 31, 2016); and, the Appointment of Robert B. Poulsen to serve on the Idaho Falls Business Corporation (Term to Expire on December 31, 2016).

The City Clerk requested approval of the Minutes from the June 13, 2013 8:30 A. M. Council Work Session, the June 13, 2013 6:00 P. M. Council Work Session, and the June 13, 2013 Regular Council Meeting.

The City Clerk requested approval of License Applications, including a BEER LICENSE to Wild Russet, LLC, all carrying the required approvals.

The City Clerk requested Council ratification for the publication of legal notices calling for public hearings on June 27, 2013.

It was moved by Councilmember Hardcastle, seconded by Councilmember Hally, to approve the Consent Agenda in accordance with the recommendations presented. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Lehto
Councilmember Cornwell
Councilmember Hally

Nay: None

Motion Carried.

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REGULAR AGENDA

The Fire Chief submitted the following memos:

City of Idaho Falls
June 27, 2013

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Dean Ellis, Fire Chief
SUBJECT: CONTRACT NEGOTIATION REQUEST

The Fire Chief respectfully requests authorization to negotiate a contract with Alderson Karst & Mitro Architects, P. A. for the structural analysis of Fire Station No. 1 Bay Floors. The RFPs were graded and evaluated by a committee of five individuals. The evaluation was done with a grading sheet that has been utilized in previous RFP scoring.

s/ Dean Ellis

It was moved by Councilmember Hardcastle, seconded by Councilmember Hally, to give authorization for the Fire Chief to negotiate a contract with Alderson Karst & Mitro Architects, P. A., for the structural analysis of Fire Station No. 1 Bay Floors. Roll call as follows:

Aye: Councilmember Hally
Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle

Nay: None

Motion Carried.

The Parks and Recreation Director submitted the following memo:

City of Idaho Falls
June 26, 2013

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Greg A. Weitzel, Parks and Recreation Director
SUBJECT: SHORT TERM EVENT LEASE AGREEMENT – IDA RACING

Attached for your consideration is a Lease Agreement between the City of Idaho Falls and Ida Racing. The agreement is for the purpose of providing a short term event lease agreement for the Sandy Downs Facility.

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The lease agreement includes terms and payment fees as well as the admission payment, cleaning and key deposits, dumpsters and propane costs and other miscellaneous costs for the use of Sandy Downs facility.

The Parks and Recreation Division respectfully requests approval and authorization for the Mayor and City Clerk to sign and execute said agreement.

s/ Greg A. Weitzel

It was moved by Councilmember Hardcastle, seconded by Councilmember Cornwell, to approve the Lease Agreement between the City of Idaho Falls and Ida Racing for the purpose of providing a short term event lease agreement for the Sandy Downs Facility and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hally
Councilmember Hardcastle
Councilmember Lehto
Councilmember Cornwell

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memo:

City of Idaho Falls
June 24, 2013

MEMORANDUM

TO: Mayor and Council
FROM: Renee R. Magee, Planning and Building Director
SUBJECT: FINAL PLAT – CARL'S JR. SUBDIVISION

Attached is the Final Plat entitled Carl's Jr. Subdivision. This parcel is located on the southwest corner of West Broadway and Utah Avenue and is zoned HC-1 and I & M-1. The Planning Commission considered this request at its June 4, 2013 Meeting, and recommended approval. The staff concurs. The Division respectfully requests approval of this Final Plat.

s/ Renee R. Magee

The Planning and Building Director submitted the following exhibits in connection with this Final Plat approval request:

Exhibit 1 Planning Commission Minutes dated June 4, 2013
Exhibit 2 Staff Report dated June 4, 2013
Exhibit 3 Vicinity Map
Exhibit 4 Aerial Photo
Exhibit 5 Copy of Final Plat

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It was moved by Councilmember Hardcastle, seconded by Councilmember Cornwell, to accept the Final Plat entitled Carl's Jr. Subdivision and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. Roll call as follows:

Aye: Councilmember Cornwell
Councilmember Hardcastle
Councilmember Lehto
Councilmember Hally

Nay: None

Motion Carried.

City of Idaho Falls
June 24, 2013

MEMORANDUM

TO: Mayor and City Council
FROM: Mark McBride, Chief of Police
SUBJECT: MEMORANDUM OF AGREEMENT - 2013 BYRNE JUSTICE ASSISTANCE GRANT (JAG)

Please review the attached Memorandum of Agreement between the City of Idaho Falls and the County of Bonneville, Idaho. This Agreement is in regard to the 2013 Byrne Justice Assistance Grant (JAG) Program award.

Chief McBride would like this discussed at the Council Work Session on the 27th day of June, 2013, at 8:30 a.m., in the City Council Chambers. Chief McBride would also like it approved at the City Council Meeting that evening.

s/ Mark McBride

It was moved by Councilmember Hardcastle, seconded by Councilmember Hally, to approve the Memorandum of Agreement between the City of Idaho Falls and Bonneville County for the 2013 Byrne Justice Assistant Grant (JAG) Program Award and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Cornwell
Councilmember Hally
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

JUNE 27, 2013

City of Idaho Falls
June 14, 2013

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris H. Fredericksen, Public Works Director
SUBJECT: ENGINEERING SERVICES AGREEMENT (CONSTRUCTION INSPECTION) – 17TH STREET, PANCHERI DRIVE TO SOUTH BOULEVARD

Attached is a proposed Engineering Construction Services Agreement with J-U-B Engineers on the 17th Street, Pancheri Drive to South Boulevard Project in an amount not to exceed \$164,600.00. This contract was negotiated by and will be administered by the Local Highway Technical Assistance Council (LHTAC). The City is responsible for 7.34% of the payment amount.

Public Works recommends approval of this Agreement; and, authorization for Mayor and City Clerk to sign the necessary documents.

s/ Chris H. Fredericksen

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve the Engineering Services Agreement (Construction Inspection) with J-U-B Engineers for the 17th Street, Pancheri Drive to South Boulevard Project in an amount not to exceed \$164,600.00 (with the City being responsible for 7.34% of the payment amount) and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Hardcastle
Councilmember Cornwell
Councilmember Hally

Nay: None

Motion Carried.

City of Idaho Falls
June 17, 2013

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris H. Fredericksen, Public Works Director
SUBJECT: IDAHO TRANSPORTATION DEPARTMENT STATE/LOCAL DEVELOPMENT AGREEMENT – 17TH STREET; HOLMES AVENUE TO WOODRUFF AVENUE

JUNE 27, 2013

Attached is the State/Local Development Agreement with the Idaho Transportation Department and accompanying Resolution with respect to 17th Street; Holmes Avenue to Woodruff Avenue Project. This agreement requires City financial contribution towards design in the amount of \$5,000.00.

Public Works recommends adoption of the Resolution, approval of this Agreement; and, authorization for Mayor and City Clerk to sign the necessary documents.

s/ Chris H. Fredericksen

RESOLUTION NO. 2013-10

WHEREAS, the Idaho Transportation Department, hereafter called the State, has submitted an Agreement stating obligations of the State and the CITY OF IDAHO FALLS, hereafter called the CITY, for development of 17th Street; Holmes Avenue to South Woodruff; and,

WHEREAS, the State is responsible for obtaining compliance with laws, standards and procedural policies in the development, construction, and maintenance of improvements made to the Federal-Aid Highway System when there is federal participation in the costs; and,

WHEREAS, certain functions to be performed by the State involve the expenditure of funds as set forth in the Agreement; and,

WHEREAS, the State can only pay for work associated with the State Highway System; and,

WHEREAS, the CITY is fully responsible for its share of project costs; and,

NOW, THEREFORE, BE IT RESOLVED:

1. That the Agreement for Federal Aid Project A013(585) is hereby approved.

2. That the Mayor and the City Clerk are hereby authorized to execute the Agreement on behalf of the CITY.

3. That the duly certified copies of the Resolution shall be furnished to the Idaho Transportation Department.

CERTIFICATION

I hereby certify that the above is a true copy of a Resolution passed at a regular meeting of the City Council, City of Idaho Falls, held on June 27, 2013.

s/ Rosemarie Anderson
City Clerk

(SEAL)

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It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve the State/Local Development Agreement for Seventeenth Street, Holmes Avenue to Woodruff Avenue, with Idaho Transportation Department in the amount of \$5,000.00; adopt the Resolution; and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Lehto
Councilmember Cornwell
Councilmember Hally

Nay: None

Motion Carried.

City of Idaho Falls
June 17, 2013

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris H. Fredericksen, Public Works Director
SUBJECT: IDAHO TRANSPORTATION DEPARTMENT STATE/LOCAL
DEVELOPMENT AGREEMENT – IDAHO FALLS CITYWIDE SEAL
COAT

Attached is a State/Local Development Agreement with the Idaho Transportation Department and accompanying Resolution with respect to Idaho Falls Citywide Seal Coat Project. This Agreement requires City financial contribution towards design in the amount of \$5,000.00.

Public Works recommends adoption of the Resolution, approval of this Agreement; and, authorization for the Mayor and City Clerk to sign the necessary documents.

s/ Chris H. Fredericksen

RESOLUTION NO. 2013-11

WHEREAS, the Idaho Transportation Department, hereafter called the State, has submitted an Agreement stating obligations of the State and the CITY OF IDAHO FALLS, hereafter called the CITY, for development of Idaho Falls Citywide Sealcoats; and,

WHEREAS, the State is responsible for obtaining compliance with laws, standards and procedural policies in the development, construction, and maintenance of improvements made to the Federal-Aid Highway System when there is federal participation in the costs; and,

WHEREAS, certain functions to be performed by the State involve the expenditure of funds as set forth in the Agreement; and,

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WHEREAS, the State can only pay for work associated with the State Highway System; and,

WHEREAS, the CITY is fully responsible for its share of project costs; and,

NOW, THEREFORE, BE IT RESOLVED:

1. That the Agreement for Federal Aid Project A013(586) is hereby approved.

2. That the Mayor and the City Clerk are hereby authorized to execute the Agreement on behalf of the CITY.

3. That duly certified copies of the Resolution shall be furnished to the Idaho Transportation Department.

CERTIFICATION

I hereby certify that the above is a true copy of a Resolution passed at a regular meeting of the City Council, City of Idaho Falls, held on June 27, 2013.

s/ Rosemarie Anderson
City Clerk

(SEAL)

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve the State/Local Development Agreement for the Idaho Falls Citywide Seal Coat Project in the amount of \$5,000.00; to adopt the Resolution; and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hally
Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle

Nay: None

Motion Carried.

City of Idaho Falls
June 24, 2013

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris H. Fredericksen, Public Works Director
SUBJECT: CHANGE ORDER NO. 1 – EMERSON AVENUE, 17TH STREET SOUTH TO ALLEY, SEWER REPLACEMENT PROJECT

JUNE 27, 2013

Attached is Change Order No. 1 to the Emerson Avenue, 17th Street South to Alley, Sewer Replacement Project. The Change Order provides additional compensation to the contractor for supplying and installing non-shrink backfill. The total Change Order increase amounts to \$21,250.00.

Public Works recommends approval of this Change Order; and, authorization for the Mayor and City Clerk to sign the documents.

s/ Chris H. Fredericksen

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve Change Order No. 1 to 3H Construction LLC in the amount of \$21,250.00 for the Emerson Avenue, 17th Street South to Alley, Sewer Replacement Project and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hally
Councilmember Hardcastle
Councilmember Lehto
Councilmember Cornwell

Nay: None

Motion Carried.

City of Idaho Falls
June 24, 2013

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris H. Fredericksen, Public Works Director
SUBJECT: BID AWARD – CITY PROPERTY CONCRETE IMPROVEMENTS

On June 11, 2013, bids were received and opened for City Property Concrete Improvements Project. A single bid was received and a tabulation of bid results is attached.

Public Works recommends approval of the plans and specifications, award to the only responsive, responsible bidder, D. L. Beck, Inc., for the base bid in an amount of \$331,344.00 and, authorization for the Mayor and City Clerk to sign contract documents.

s/ Chris H. Fredericksen

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve the plans and specifications for the City Property Concrete Improvements; to accept the only responsive, responsible bid from D. L. Beck, Inc. in the amount of \$331,344.00; and, further, give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

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Aye: Councilmember Cornwell
Councilmember Hardcastle
Councilmember Lehto
Councilmember Hally

Nay: None

Motion Carried.

City of Idaho Falls
June 24, 2013

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris H. Fredericksen, Public Works Director
SUBJECT: BID AWARD – WATER LINE REPLACEMENTS – 2013

On June 18, 2013, bids were received and opened for Water Line Replacements – 2013 Project. A tabulation of the bid results is attached. Subsequent to the bid opening, the apparent low bidder, Knife River Corporation – Northwest, discovered a substantial omission in their bid and requested that the bid be withdrawn from consideration.

Based upon the withdrawal, Public Works recommends approval of the plans and specifications, award to the next lowest responsive, responsible bidder, TMC Contractors, Inc., in an amount of \$746,967.00 and, authorization for the Mayor and City Clerk to sign contract documents.

s/ Chris H. Fredericksen

It was moved by Councilmember Lehto, seconded by Councilmember, to approve the plans and specifications for the Water Line Replacements – 2013 Project; to accept the second lowest responsive, responsible bid provided by TMC Contractors, Inc. in the amount of \$746,967.00; and, further, give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

Aye: Councilmember Cornwell
Councilmember Hally
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls
June 24, 2013

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris H. Fredericksen, Public Works Director
SUBJECT: BID AWARD – BELLIN ROAD – OUTLET BOULEVARD
CONSTRUCTION

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On June 18, 2013, bids were received and opened for Bellin Road – Outlet Boulevard Construction Project. A tabulation of the bid results is attached.

Public Works recommends approval of the plans and specifications, award to the lowest responsive, responsible bidder Landon Excavating, Inc., in an amount of \$163,951.40, and authorization for the Mayor and City Clerk to sign contract documents.

s/ Chris H. Fredericksen

Councilmember Lehto explained that he has received some concern regarding whether to delay this project and have more discussion. He stated in fairness to the Contractor and the bidding process, he would like to move forward with this item this evening. In the Council Work Session, the City Council discussed the Public Works Division Capital Improvement Plan. Within that plan, there is a great deal of planning and construction on the west side of Idaho Falls. Councilmember Lehto stated that he has received a great deal of information from the public regarding the Bellin Road-Outlet Boulevard expansion, Pancheri Drive Widening Project, and the proposed South Butte Road Extension. He thanked all those present who has provided the information and requested that the public stay engaged in the process, as the Public Works Capital Improvement Plan is a living document that brings plans to fruition. Councilmember Lehto then thanked the Public Works Director for advancing another discussion at the Bonneville Metropolitan Planning Organization Meeting. BMPO discussed proposed Old Butte Road extension, from Highway 20 to Sunnyside Road. This project has now been moved from the preliminary planning phase to a preliminary development phase, where the project can be looked at and possibly advanced. The development of Old Butte Road will alleviate many of the problems that may be brought up under the Bellin Road-Outlet Boulevard Construction Project discussion. The City of Idaho Falls is planning for growth on the west side. Before he opened the floor to discussion, he requested that only new information be provided and to be respectful of others that are speaking.

Donna Oe, 2550 West Barberry Lane, appeared to question how the City was going to patrol and enforce speed limits in the County. Councilmember Lehto stated that the City and the County have worked together effectively to manage jurisdictional concerns. Further, Ms. Oe wanted to know whether the City has budgeted for sidewalks and pathways along this area, as well as for maintenance of the County portion of Bellin Road when the roadway is constructed and open. She expressed her concern for semi-trailer truck traffic going through this area. The trucks should not be traveling through a residential area. She quoted from a document, Instrument No. 1281728, No. 4, “Recently, the status of Bellin Road has changed in that it now dead ends and no longer functions as an arterial road. See the findings dated April 21, 2006.” She invited the Mayor and City Council, along with the City Attorney to sit in her front yard first thing in the morning to view the traffic. This is a huge safety concern. Broadway and Pancheri Drive are the connector streets to the downtown area.

Councilmember Hardcastle stated that signage has already been provided for “No Through Truck Traffic”. She explained, further, that the City of Idaho Falls cannot put in sidewalks or pathways on a County street.

Councilmember Lehto stated that the extension of Old Butte Road is planned for 2018. He commented, further, that he believes that Public Works has the attention of the State Legislators in moving this forward as fast as it can be done.

Councilmember Hardcastle stated that when Old Butte Road is constructed, traffic will follow that corridor, and only local traffic will be moving on Bellin Road. A lot of the traffic that is being generated along Bellin Road is local traffic. Traffic that is moving

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from Sunnyside Road to Broadway is better served going to 35th West and traveling north to Broadway.

Michael Ward, 2396 South Bellin Road, appeared to state that there is a “No Trucks” sign by the Fire Station at the corner of Bellin Road and West 17th South. There are none at the southern end of Bellin Road. Mr. Ward stated that trucks are traveling both ways.

Councilmember Hardcastle stated that the City will place better signage at the southern end of Bellin Road, so that trucks will not use this access.

Mr. Ward stated that it is frustrating to him that the City is using a parking lot access to connect to a residential street. Outlet Boulevard was not designed to be a through-traffic street. The City is connecting a 35 mph residential street to a 15 mph parking lot access, and using it as a belt route. He stated that he did not see how this could be safer. Mr. Ward expressed his concern for safety of the residents of this area. He has talked with Bonneville County personnel and they state that they have no voice in this construction project. The County has told him that the City will construct whatever they want on the south end of Bellin Road. The County needs to enforce the area of concern, and they claim that they do not have the manpower to enforce the resulting traffic problems when Bellin Road is constructed as a through street. Mr. Ward requested that the City talk with Bonneville County to be able to reduce the speed limit, so that traffic becomes reasonable through this residential area.

Joanne Ward, 2396 South Bellin Road, appeared to state that traffic on Bellin Road has never been as heavy as it is at this time. The increase in traffic is not local traffic, but thoroughfare traffic. The City is enabling Bellin Road to be an arterial road through their County residential area. Mrs. Ward stated that she understood that the City is considering making North Bellin Road 35 mph, where it is 25 mph now. She requested that the City not make that change, as it would allow the residents of South Bellin Road to have a stronger voice in reducing their speed limit to 25 mph.

Linda Boyle, 2355 South Bellin Road, appeared to state that she agrees with the concern for safety of the residents in the area. She stated that she read all of the comments that were provided at the open house held at the Fire Station. The majority of the comments were to complete Bellin Road. The majority of the words written were not to have Bellin Road completed. Mrs. Boyle stated that there are two schools in close proximity to Bellin Road. There is one crosswalk on Bellin Road for Westside Elementary School students. There are no crosswalks for those students coming from Fox Hollow Elementary School. She gave the example of Temple View Elementary School, which has a lighted, reduced speed sign and crosswalks on Saturn Avenue. Mrs. Boyle stated that she believed that the Bellin Road residents deserved the same consideration.

Councilmember Lehto explained that when Sunnyside Road and Interchange was constructed approximately five years ago, Bellin Road was blocked off. It was supposed to be completely inaccessible. Local traffic trespassed through this area by driving around gates, through fields, moving blockades, in order to access Sunnyside Road from Bellin Road. It got to the point, the Idaho Transportation Department, County Commissioners, and the City determined that something needed to be done with this roadway. All entities are advocating for this roadway to go through to bring some sanity to the area. Councilmember Lehto stated two years ago, he did not care whether the roadway was closed, but that it needed to be closed so that it could not be accessed. The roadway as it is, does not function safely. When traffic calming measures are implemented, the traffic slows down accordingly. Most of the offenders were local people that live in the residential areas surrounding Bellin Road. Sometimes the perception of speed is not correct. For example, when people think that traffic is flowing at 45 mph, it is really traveling 28 mph. Councilmember Lehto stated that he was happy to take testimony regarding this issue, as

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the Police Chief can now take the information that you have provided back to the Sheriff's Office to determine how to proceed from this point forward. The City's Public Works Director will work with the County Public Works Director with any concerns that result from this construction should the Bid Award be approved to construct Bellin Road.

Ms. Boyle stated that if there are still all of these concerns, why was there a rush to award the bid for construction.

Councilmember Lehto stated that there is a window of opportunity to complete this project. Plans were put together and the project was bid. The City Council will consider whether the bid should be awarded so that the project can move forward during this construction season. Councilmember Lehto stated that he met with the Public Works staff this morning and found out that everything was good on the City side and everything was good on the County side.

Ms. Boyle questioned whether the roadway would be the same quality of roadway that would be constructed within the City.

Councilmember Lehto stated that the plans for a roadway within the City are far superior than anything that a person would find in Bonneville County.

Jim Key, 2510 West Eldorado Street, appeared to state that he lives closer to Broadway. He stated that he attended the Bonneville Metropolitan Planning Organization Meeting and was impressed by the concern of all entities in designing and constructing Old Butte Road as soon as possible. Mr. Key requested to know what would happen to Bellin Road when Old Butte Road was completed. He commented that people would have to be retrained to use the arterial streets for access. He believed that this item would be tabled due to the fact that two Councilmembers were absent. The paving and environmental assessment that was conducted in 2002 for the Sunnyside Project was silent on Bellin Road, with the exception of saying that the South Bellin Road Bridge would be taken out. The City Council should not set a precedent for rewarding people that ignore private property rights that drive around signs and gates. Mr. Key stated that he understood the bidding procedures, but at the same time the long-term effects on the neighborhood have got to outweigh the concern for delaying a vote that awards a contract. He questioned, again, what was the rush.

Donna Oe re-appeared to request that the bid award be tabled, or better yet, block the vote. The signage in this area is there and people ignore them. She stated that the residents love their families no less than the City Council does theirs.

Theresa Suekel, 2100 South Bellin Road, appeared to share the following statement:

2100 South Bellin Road
Idaho Falls, Idaho 83402

June 25, 2013

City of Idaho Falls
Council Chambers
680 Park Avenue
Idaho Falls, Idaho 83402

Dear Mr. Mayor and City Councilmembers:

Thank you for finally responding to my citizen request submitted May 9, 2013 and listening to me that evening at the City Council Meeting. You mention in your response back to me, individuals with two competing viewpoints. One

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viewpoint is that the connection between South Bellin should be improved and one viewpoint that the connection between South Bellin and Outlet Boulevard should be permanently, physically severed. You mentioned that you have decided to improve the safety of the connection based on considerable feedback from both sides. My question is thoroughly considered stopping the opening of Bellin Road?

I submitted a request to get on the City of Idaho Falls Traffic Safety Committee's Agenda on 4/30/2013. Only to receive a phone call from Darrin Cook, an I. F. Police Officer over the committee that said I am a county resident living on the county section of the road that would have to call them with my concerns.

In the following days, I tried to follow up and did manage to get to talk with Steve Serr one day. He told me my concerns involved the City also that the road is multi-jurisdictional and he does not handle speed limits and school zones. He gave me Kevin Eckersell's number as a contact for the county safety committee. I tried multiple times to speak with Kevin and finally found a Traffic Control Request form on their website and went to work on submitting that. Gregg, my husband, and I submitted a request on May 20, 2013 and have yet to hear a response to our main suggestion to officially close the road. A meeting was held with another local resident only about lowering the speed limit. We were told that after the road goes through they would work with us on lowering the speed limit. I have attached copies of both these requests for you to view. My conclusion is everyone is continuing to pass the buck.

I live at 2100 South Bellin Road. If progressing south on Bellin towards Outlet Boulevard from the fire station. My family's house is located on the west side, the first house as the road becomes narrow and county on both sides. This is one of the most dangerous spots on the road because many do not realize how much the road actually narrows until after they have already passed my house going 35 to 50 mph.

I was rear-ended as I turned into my driveway before the traffic became as heavy as it is now. I regret not reporting the accident now. A dead magpie (protected bird) lies in front of my house now. This is not the first bird or squirrel we have watched die. A deer ran out from our back yard the first day of school last fall and was barely missed while my son stood waiting for the bus. Since we are county residents, we feel like you have overlooked researching through the county the impact the legal opening of Bellin Road, smoothing out the Pioneer Road Overpass hump and paving will have on the residents of Bellin Road. The Idaho Transportation Department recommended moving ahead with the Sunnyside I-15 Interchange choosing this option out of three with Bellin Road as a dead end and the removal of the Pioneer Road Overpass. They completed their environmental impact and traffic safety studies in 2002 and recommended this option for the safety of the Bellin Road residents. **Who is going to take responsibility when someone does get injured in the future after the City doesn't require the studies to be completed again by the county or State and ignores the past studies recommendation of keeping Bellin Road closed?**

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A bar is located on Outlet Boulevard and the stakes are even higher and more reprehensible if alcohol is involved in an accident. On Monday, June 5, 2013 6:56 p.m. a **DUI**, North Bellin Road and West Broadway, was reported in the Post Register. We have to wonder which direction this driver was traveling. On June 4, 2013 at 4:13 p.m. **Assault**, 3000 block of Outlet Boulevard was also reported in the Post Register. This is a few of the more recent crime log statistics we have noticed. **With two elementary schools within a mile of this bar has it been discussed whether the owner of One 16 Bar and Grill will have to reapply for their liquor license if Bellin Road is opened legally.** On July 9, 2013 the Planning and Zoning is holding a public hearing annexation and initial zoning of R-3 (single-family homes to apartments) a portion of Bellin Road with the City of Idaho Falls as the applicant. The location of this proposed apartment is very close also to this bar and could potentially increase traffic dramatically. **What exactly are we opening a residential neighborhood up to? Has anyone considered how easily a bad person could grab the local elementary students, be on the freeway and out of town once Bellin Road is opened?** We have, Gregg comes from a law enforcement background.

I am assuming some things just like the presentation given to the City Council in a work session that no one was able to attend:

1. We did not know about it.
2. It was held at 8:30 a.m. to 12:00 p.m. on a Thursday.
3. The presentation was flawed in its interpretation of the data from the open house and did not consider e-mails and petitions input.

Your numbers at the Pancheri widening open house were considerably higher for the Bellin current traffic in comparison to the Bellin open house.

The roads used to compare to Bellin were all roads with speed limits of 25 mph. **Is that why a request was put in by public works to increase the speed on North Bellin, Skyline Drive?**

The minutes for this April 25, 2013 City Council Work Session were not even available on May 9, 2013 when you held the City Council Meeting to decide whether to open the Bellin Road Connection to Outlet Boulevard up for bids. I inquired about this during the May 9 Council Meeting. We were told that they had to be approved the minutes that night. In the end, I had to put in a records request to obtain the information because work sessions are not posted on the website. This did not make the meeting minutes so I thought I would mention that this unavailability of the minutes before the vote to put the bids out seems to be another reason to reconsider the vote and stop rushing this project through.

This project is substandard to your normal City Codes I found on the city website. Outlet Boulevard is already substandard and you are considering more. Have you considered making this a one-way street for this small section to give access to emergency personnel? Please reconsider opening Bellin Road.

Sincerely,

Theresa Suekel

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Attachment 1	Photo of Semi-Truck
Attachment 2	Photo of dead magpie – close-up
Attachment 3	Photo of dead magpie
Attachment 4	Photo of City’s exhibit “Why does Pancheri Drive need widened?”
Attachment 5	Request for Traffic Safety Agenda Item from Theresa Suekel dated April 30, 2013 for intersection of Genevieve and Bellin Road and the section to the south with Harrow Road.
Attachment 6	Traffic Control Change Request through Bonneville County Public Works Department dated May 15, 2013 regarding South Bellin Road connection to Outlet Boulevard and Sunnyside Road.
Attachment 7	Idaho Falls Citizen Request dated June 14, 2013 regarding South Bellin Road connection to Outlet Boulevard.

Councilmember Lehto explained that there is a great spirit of cooperation between the Bonneville County’s Sheriff’s Office and the Idaho Falls Police Department. The Idaho State Police Department participates when necessary. If there is a problem, that problem will be solved.

Jim Key re-appeared to questioned whether an amendment to the Environmental Assessment that was conducted for the Sunnyside Road Project would be required.

Councilmember Lehto stated that he did not know the answer to Mr. Key’s question. Councilmember Lehto questioned those that were present at the Council Work Session that morning as to whether there were any concerns or problems that had not been addressed that would prevent the Bellin Road/Outlet Boulevard Project from being constructed. He was given the answer that there were not concerns or problems that would prevent this project from moving forward. He explained, further, that the City of Idaho Falls has tried a number of different avenues over a three year period, from closing the road, proposals to fix the road, and working with ITD in that area. The long-term fix is to complete the project. This is a safety issue – either close it or fix it. The full City Council has been engaged in discussions regarding this issue.

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve the plans and specifications for the Bellin Road-Outlet Boulevard Construction Project; to accept the lowest responsive, responsible bid from Landon Excavating, Inc. in the amount of \$163,951.40 to complete the project; and, further, give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

Aye: Councilmember Hally
Councilmember Hardcastle
Councilmember Lehto
Councilmember Cornwell

Nay: None

Motion Carried.

JUNE 27, 2013

City of Idaho Falls
June 25, 2013

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chris H. Fredericksen, Public Works Director
SUBJECT: IDAHO TRANSPORTATION DEPARTMENT STATE/LOCAL
AGREEMENT – TRAFFIC SIGNAL REMOVAL STUDY

Attached is a State/Local Agreement with the Idaho Transportation Department and accompanying Resolution with respect to Traffic Signal Removal Study.

Public Works recommends adoption of the Resolution, approval of this Agreement; and, authorization for the Mayor and City Clerk to sign the necessary documents.

s/ Chris H. Fredericksen

RESOLUTION NO. 2013-12

WHEREAS, the Idaho Transportation Department, hereafter called the STATE, has submitted an Agreement stating obligations of the STATE and the CITY OF IDAHO FALLS, hereafter called the CITY, for development of a traffic signal removal study; and,

WHEREAS, the STATE is responsible for obtaining compliance with laws, standards and procedural policies in the development, construction, and maintenance of improvements made to the Federal-Aid Highway System when there is federal participation in the costs; and,

WHEREAS, certain functions to be performed by the STATE involve the expenditure of funds as set forth in the Agreement; and,

WHEREAS, the STATE can only pay for work associated with the State Highway System; and,

WHEREAS, the CITY is fully responsible for its share of project costs; and,

NOW, THEREFORE, BE IT RESOLVED:

1. That the Agreement for Federal Aid Project A013(134) is hereby approved.
2. That the Mayor and the City Clerk are hereby authorized to execute the Agreement on behalf of the CITY.
3. That duly certified copies of the Resolution shall be furnished to the Idaho Transportation Department.

JUNE 27, 2013

CERTIFICATION

I hereby certify that the above is a true copy of a Resolution passed at a regular meeting of the City Council, City of Idaho Falls, held on June 27, 2013.

s/ Rosemarie Anderson
City Clerk

(SEAL)

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve the State/Local Agreement for the Traffic Signal Removal Study; to adopt the Resolution; and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Lehto
Councilmember Cornwell
Councilmember Hally

Nay: None

Motion Carried.

Mayor ProTem Hardcastle requested to conduct a public hearing for consideration of a rezone from R-3A with PUD Overlay to RSC-1 with PUD Overlay on property located generally south of 17th Street, north of Parley, east of St. Clair Road, west and adjacent to Woodruff Avenue, and legally described as Lot 17 and 20, Block 1, Lorin C. Anderson Addition, Division No. 1, Seconded Amended. The City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
June 24, 2013

MEMORANDUM

TO: Mayor and Council
FROM: Renee R. Magee, Planning and Building Director
SUBJECT: REQUEST TO REZONE FROM R-3A WITH PUD OVERLAY TO RSC-1 WITH PUD OVERLAY – LOTS 17 AND 20, BLOCK 1, SECOND AMENDED PLAT OF LORIN C. ANDERSON ADDITION, DIVISION NO. 1

Attached is the application to rezone Lots 17 and 20, Second Amended Plat of Lorin C. Anderson Addition, Division No. 1, from R-3A with PUD Overlay to RSC-1 with PUD Overlay. This parcel is located south of Hallpark Plaza and 17th Street, east of St. Clair Road, and west and immediately adjacent to Woodruff Avenue. The Planning Commission considered this request at its May 7, 2013 Meeting and recommended approval. The staff concurs. This request is now being submitted to the Mayor and Council for consideration.

s/ Renee R. Magee

JUNE 27, 2013

The Planning and Building Director located the subject area on a map and further explained the rezoning request. Following is a list of exhibits used in connection with this rezoning request:

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo showing area under consideration
Slide 3	Aerial Photo – close up
Slide 4	Comprehensive Plan
Slide 5	Site Photo looking west across site
Slide 6	Site Photo showing shopping center north of site
Slide 7	Site Photo of medical office south of site
Slide 8	Site Photo of medical center east of site
Exhibit 1	Planning Commission Minutes dated May 7, 2013
Exhibit 2	Staff Report dated May 7, 2013
Exhibit 3	Vicinity Map
Exhibit 4	Aerial Photo
Exhibit 5	Comprehensive Plan Map

The Planning and Building Director stated that the Comprehensive Plan designates the area as an employment center. The RSC-1 Zone will allow professional offices and certain limited retail that would support professional offices. This rezoning request complies with the Comprehensive Plan.

Mike Groberg, 540 Castlerock Lane, appeared to state that he is the developer for this property. He explained that there were four lots that could be used as professional offices. Under the R-3A Zone, apartments could be built. Two of the lots are already zoned RSC-1. The developer of the medical and professional offices along Sunnyside Road is also the person interested in this property. Mr. Groberg shared from an e-mail written by this individual:

Our desire is to do a retail building at this point. We have no interest in the medical/professional office concept that was previously designed for this site. We feel that market has been saturated and we cannot afford to develop and sit on the inventory.

Mr. Groberg stated that they would like to get this property developed in a responsible way under the RSC-1 Zone.

There being no further discussion either in favor of or in opposition to this rezoning request, Mayor ProTem Hardcastle closed the public hearing.

It was moved by Councilmember Hardcastle, seconded by Councilmember Cornwell, to approve the rezone from R-3A with PUD Overlay to RSC-1 with PUD Overlay on property located generally south of 17th Street, north of Parley, east of St. Clair Road, west and adjacent to Woodruff Avenue, and legally described as Lot 17 and 20, Block 1, Lorin C. Anderson Addition, Division No. 1, Seconded Amended and that the City Planner be instructed to reflect said zoning change on the official zoning map located in his office. Roll call as follows:

Aye:	Councilmember Cornwell Councilmember Hardcastle Councilmember Lehto Councilmember Hally
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Nay:	None
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JUNE 27, 2013

Motion Carried.

There being no further business, it was moved by Councilmember Lehto, seconded by Councilmember Cornwell, that the meeting adjourn at 8:48 p.m.

CITY CLERK

MAYOR
